



Public Service Commission

State of North Dakota

COMMISSIONERS

Kevin Cramer
Tony Clark
Brian P. Kalk

May 26, 2009

Executive Secretary
Darrell Nitschke

600 E. Boulevard Ave. Dept 408
Bismarck, North Dakota 58505-0480
Web: www.nd.gov/psc
E-mail: ndpsc@nd.gov
TDD 800-366-6888 or 711
Fax 701-328-2410
Phone 701-328-2400

Mr. Jeff Fleischman Director
Casper Field Office
Office of Surface Mining
PO Box 11018
Casper WY 82602-5004

Dear Mr. Fleischman:

RE: S08AF12559-0002

Administration Costs and Emergency Program Costs

The Public Service Commission's Letter of Credit can be de-obligated in the amount of \$33,066.41 which is the balance in S08AF12559-0002-SS01. All funds in S08AF12559-FE05 have been expended.

Please move the balance of \$33,066.41 into S08AF12559-0003-SS03 under the current AML construction project, grant GR807380.

All allowable, allocable and reasonable costs have been paid, all funds have been expended and the projects are considered complete. OSM is released from all obligations under or arising from these projects, subject to final audit, if any.

If you have any questions, please contact James Deutsch or me. Thank you.

Sincerely,

Gloria Geiger
Administrative Staff Officer

cc: Frank Atencio
James Deutsch

Payment Transaction Confirmation

Payment Request Sequence Number : 05-20-2009 46725032

Payment Request Type :	Individual
Payment Method :	ACH
Bank Relationship :	091300285*****0408
Requested Settlement Date :	05/21/2009
Requested Date and Time :	05/20/2009:07:57
Total Items :	1

Recipient : NORTH DAKOTA PUBLIC SERVICE CO (3808276)

Federal Agency : OFFICE OF SURFACE MINING (14180001)

Cash On Hand : Total :\$26,060.75

Seq # / Item #	Account ID	Account Status	Request Reference Number	Available Balance	Remittance Code	Remittance Amount	Amount Requested	Payment Request Status
00001/1	S08AF12559- 0002-SS01	Open	R04009 FINAL	\$33,066.41			\$26,060.75	Queued to be sent to ACH

U.S. DEPARTMENT OF THE INTERIOR

Office of Surface Mining

Washington, DC 20240

☐ Performance Report

☒ Program Narrative Statement

1. Type of Program (Check Appropriate Box)

☒ Abandoned Mine Lands Program

2. Grant Recipient

PUBLIC SERVICE COMMISSION

STATE CAPITOL

13TH FLOOR

BISMARCK, ND 58505-0480

Type of Report: GR807380 Closeout Admin and Emergency projects and annual report of construction projects

3. Project Title/Program GR807380

Abandoned Mine Reclamation Grant

4. Performing Organization

SAME AS ABOVE

5. Program Narrative

See attached documents

OSM-51(12/80)

The Paperwork Reduction Act of 1980 (44 U.S.C. 35) requires us to inform you that "This information is being collected to determine how an applicant plans to spend Federal dollars of a grant or cooperative agreement. This information will be used to prepare budget analyses and forecasting. The obligation to respond is required to obtain a benefit.

Administrative Project

In addition to general administrative costs for staff salary and fringe benefits associated with the projects listed above, other administrative program costs were charged to the administrative portion of the 2008 AML grant. These costs included time spent managing the program, reviewing draft and final AML rules issued by OSM, budget preparation, preparing information and data for OSM's annual oversight of the program, reviewing applicable policies and procurement guidelines, responding to requests for information, etc.

Another significant activity during the grant period was work on the development of a geographic information system (GIS) for mine maps and data associated with the AML program. Significant progress was made during the period on the geo-referencing of mine maps but work continues on converting other data into the necessary format for the GIS and getting the information posting on the Internet.

Other expenditures included dues and staff travel to NAAML and IMCC meetings and a few other conferences. No equipment purchases of \$5,000 or more were made during the grant year.

Project Summaries for the 2008 Administrative Grant Closeout

Completion of a Project Started in 2007

In October 2007, the Commission entered into a contract for exploratory drilling at abandoned underground mines in Mercer and McLean Counties. The abandoned underground mine site in Mercer County was located in southeast Beulah and the other was located along State Highway 200 east of Underwood in McLean County. The work in McLean County was completed in November 2007 and no underground mine voids were detected at that site. The work in Beulah began later in 2007, but was not completed until the spring of 2008. Some voids were encountered at this location. The work was completed at a total cost of \$75,490.

2008 Columbus Phase 9 AML Project

The main objective of this project was to backfill highwalls and spoil grading on about 75 acres of mined land located southwest of Columbus in Burke County. Approximately 820,000 cubic yards of spoil material were moved during reclamation. Work at the Columbus Phase 9 AML site started in June 2008, and except for seeding and cleanup, was completed by November 2008. The contract amount was \$1,160,963.04 and the amount paid through November 2008 was \$1,182,683.99. Change orders issued by the project manager increased the total amount of work.

The Commission entered into a separate contract in early 2008 for tree and shrub planting on the reclaimed areas at the Columbus site in the spring of 2008. In addition, another contract was signed in late 2008 for tree and shrub planting on the reclaimed areas at this site in the spring of 2009.

2008 Williams County Road 9 Phase 3 Project

The objectives of this project were to drill holes to locate underground mined workings and to pump a cementitious grout through these holes to fill the mine voids and reduce the likelihood of collapse. This was the third year of a multi-year project in areas along Williams County Road 9 and nearby residential areas east of Williston. A total of 49,951 feet were drilled and 3,880 cubic yards of grout were injected into underground mined workings and the work was conducted between June and December of 2008. Some cleanup and road repairs remain to be completed in the spring of 2009. The original contract was for \$628,577.50 and the cost of the work to date has been \$667,210.61. Change orders that were issued increased the original amount of the grout used for this project.

A separate contract was issued for field and laboratory testing of the grout used for this project. The contracted amount was \$27,040 and work was completed for a total cost of \$27,137.50. One change order was issued to slightly increase the amount for lab testing.

2008 Emergency Projects

The AML Division conducted an emergency project to drill and pressure grout underground mine voids east of Williston. A large void was detected between the driveway and concrete floor of a building that is used for a metal crafting and landscaping business. The driveway and locations around the building were drilled to locate additional voids and more than a 1,000 yards of grout were used to fill the voids. This project was completed at a cost of \$109,185.50.

The AML Division conducted an emergency project in the right-of-way of State Highway 36 near Wilton to fill an undermine mine sinkhole. This project was completed at a cost of \$2016.

The AML Division carried out an emergency project in early July or 2008 to fill an underground mine sinkhole that was immediately underneath and alongside the basement of a home north of Parshall. A grout mixture was used to gravity fill the sinkhole; however, the concrete floor in the home was damage while filling the sinkhole and repairs were made and a structural survey of the home was conducted to check for any other damages. The total cost of this project including the cost of grout, repairs and structural survey was \$16,699.34.

2008 Maintenance Projects

Four contracts were awarded in 2008 for sinkhole filling at numerous abandoned underground coal mines in the western portion of the state. Three of these projects were completed in the summer and fall of 2008, while work on the fourth project was postponed until the spring of 2009.

Construction work for the Sinkholes 1 project for underground mine sinkholes near Noonan began on August 7, 2008 and was completed on August 8, 2008. The contracted work was completed for a total cost of \$12,500.

Construction work for the Sinkholes 2 project for underground mine sinkholes near Beulah, New Leipzig and Scranton began on November 25 and was completed on December 12, 2008. This work was completed for a total cost of \$41,825.

Construction work for the Sinkholes 3 project for underground mine sinkholes near Williston began on November 18, 2008 and was completed on November 24, 2008. The work was completed for a total cost of \$22,750.

Although a contract was entered into in late 2008 for the Sinkholes 4 project for sinkholes filling near Sawyer, Washburn and Wilton, this work was postponed until the spring of 2009 due to the onset of winter.

U.S. DEPARTMENT OF THE INTERIOR
OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT
Budget Information and Financial Reporting Form

OMB Approval No.: 1029-0059
Exp. Date: 12/31/99

SECTION A. GENERAL

Grantee: North Dakota Public Service Commission	Grant Title: FY 2008 North Dakota AML Simplified Grant	Grant Number: GR807380	Grant Period: 3/01/2008 to 2/28/2011
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SECTION B. BUDGET AND FINANCIAL REPORT INFORMATION

Budget/Cost Categories		Budget		Financial Status Report Cumulative Through / /			Financial Status Report Cumulative Through / /			Financial Status Report Cumulative Through / /		
Title	Number	Original/ Prior Budget	Current Budget	Cumulative Obligations	Cumulative Expenditures	Rpt Ind	Cumulative Obligations	Cumulative Expenditures	Rpt Ind	Cumulative Obligations	Cumulative Expenditures	Rpt Ind
AML Non-Emergency Administrative Cost	38801	292,113.00	259,046.59	259,046.59	259,046.59							
AML Project Costs Construction	38803	2,680,690	2,680,690	2,116,194.34	2,116,194.34							
Emergency Program Project Costs	38805	100,000	100,000	100,000	100,000							
Total Program Costs												
Total Grant		3,072,803	3,039,736.59									
Total Net Program Obligations/Expenditures				2,475,240.91	0.00		0.00	0.00		0.00	0.00	
Total Grant Amount		3,072,8030										
Total Unobligated Balance				564,495.66			0.00			0.00		
Total Indirect Costs					136,827.48							
Total Program Income			0.00		0							

SECTION C. INDIRECT COST RATE INFORMATION

Type Rate #1: <input checked="" type="checkbox"/> Predetermined <input type="checkbox"/> Final <input type="checkbox"/> Provisional <input type="checkbox"/> Fixed Indirect Rate Calc: Base \$379,868 Indirect Amount \$151,872 Rate 39.98% Period Covered by Rate: 3/1/07-7/01/2009	Type Rate #2: <input type="checkbox"/> Predetermined <input type="checkbox"/> Final <input type="checkbox"/> Provisional <input checked="" type="checkbox"/> Fixed Indirect Rate Calc: Base \$ 342,240.29 Indirect Amount \$ 136,827.48 Rate 39.98% Period Covered by Rate: 03/01/2008 - 06/30/2009	Type Rate #3: <input type="checkbox"/> Predetermined <input type="checkbox"/> Final <input type="checkbox"/> Provisional <input type="checkbox"/> Fixed Indirect Rate Calc: Base \$ _____ Indirect Amount \$ _____ Rate ____% Period Covered by Rate: ____/____ to ____/____
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SECTION D. SIGNATURES

Name/Title and Signature of Authorized Official (Grant Application) Susan Wefald, Commissioner	Date of Signature 12/31/2007	Signature of Authorized Official and Date First Annual Report Signed <i>Jean Daniel</i> 5-26-17	Signature of Authorized Official and Date Second Annual Report Signed	Signature of Authorized Official and Date Third Annual Report Signed
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Standard Form 424

OMB Approval No. 0348-0043

APPLICATION FOR
FEDERAL ASSISTANCE2. DATE SUBMITTED
05/21/2009

Applicant Identifier

S08AF12559

R04009 and R05609

1. TYPE OF SUBMISSION:

☒ Application ☐ Preapplication

3. DATE RECEIVED BY STATE

State Application Identifier

ND071121-0456

☐ Construction☐ Constructio☒ Non-Construction☐ Non-Constructio

4. DATE RECEIVED BY FEDERAL AGENCY

Federal Identifier

GR807380

5. APPLICANT INFORMATION

Legal Name:

Public Service Commission

Organizational Unit:

AML Division

Address (give city, county, state, and zip code)

600 E Boulevard Dept 408

Bismarck, ND 58505-0480

Burleigh County

Name and telephone number of the person to be contacted on matters involving this application (give area code)

Jim Deutsch 701-328-2251

5. EMPLOYER IDENTIFICATION NUMBER (EIN)

4 5 - 0 3 0 9 7 6 4

: Duns Number: 802-744-946

7. TYPE OF APPLICANT (enter appropriate letter in box) [A]

A. State

H. Independent School District

B. County

I. State Controlled Institution of Higher Learning

8. TYPE OF APPLICATION:

☐ New ☐ Continuation ☒ Revision

If revision, enter appropriate letter(s) in box(es): [B] []

A. Increase Award B. Decrease Award [] Increase Duration

D. Decrease Duration Other (specify):

C. Municipal J. Private University

D. Township K. Indian Tribe

E. Interstate L. Individual

F. Intermunicipal M. Profit Organization

G. Special District N. Other (Specify)

10. CATALOG OF FEDERAL DOMESTIC 15 - 252
ASSISTANCE NUMBER9. NAME OF FEDERAL AGENCY: U.S. OFFICE OF SURFACE
MINING

TITLE:ND Abandoned Mine Lands Program

11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT:

2008-2011 North Dakota AML Simplified Grant Admin and Emergency Project
Closeout.

12. AREAS AFFECTED BY PROJECT (cities, counties, states, etc.)

Entire State

13. PROPOSED PROJECT:

14. CONGRESSIONAL DISTRICTS OF:

Start Date

3/1/2008

Ending Date

2/28/2011

a. Applicant

North Dakota

b. Project

North Dakota

15. ESTIMATED FUNDING:

a. Federal -33,066.41

b. Applicant

c. State

d. Local

e. Other

f. Program Income

g. TOTAL -33,066.41

16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?

a. YES. THIS PREAPPLICATION/APPLICATION WAS MADE
AVAILABLE TO THE STATE EXECUTIVE ORDER 12372
PROCESS FOR REVIEW ON:

DATE 12/14/2007

b. NO [] PROGRAM IS NOT COVERED BY E.O. 12372

[] OR PROGRAM HAS NOT BEEN SELECTED FOR
STATE REVIEW

17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?

[] Yes If "Yes," attach an explanation [x] No

18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT, THE DOCUMENT HAS BEEN DULY
AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.

a. Typed Name of Authorized Representative

James Deutsch

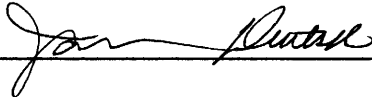
b. Title

Director, AML Division

c. Telephone number

701-328-2251

d. Signature of Authorized Representative



e. Date Signed

May 26, 2009

Previous Editions Not Usable

Standard Form 424 (REV 4-88)
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